

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MELANIE S. RAGER,

Plaintiff,

Case No. 3:11-cv-310

vs.

Judge Thomas M. Rose

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Magistrate Judge Sharon L. Ovington

Defendant.

**ENTRY AND ORDER OVERRULING RAGER'S OBJECTIONS (Doc. #15)
TO THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS; ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS (Doc. #14) IN ITS ENTIRETY;
AFFIRMING THE COMMISSIONER'S FINAL NON-DISABILITY
DETERMINATION AND TERMINATING THIS CASE**

Plaintiff Melanie S. Rager ("Rager") brought this action pursuant to 42 U.S.C. § 405(g) for judicial review of the decision of the Defendant Commissioner of Social Security (the "Commissioner") that she is not disabled and, therefore, not entitled to Social Security disability benefits. On July 25, 2012, United States Magistrate Judge Sharon L. Ovington entered a Report and Recommendations (doc. #14) recommending that the Commissioner's Decision be affirmed. Rager subsequently filed Objections (doc. #15) and the time has run and the Commissioner has not responded to Rager's Objections. This matter is, therefore, ripe for decision.

Rager sought financial assistance from the Social Security Administration by applying for Supplemental Security Income ("SSI") in November of 2006. Rager claims disability due to depression, anxiety, post-traumatic stress disorder, panic attacks, lumbar degenerative disc

disease and borderline intellectual functioning.

After various administrative proceedings, Administrative Law Judge Amelia G. Lombardo denied Rager's SSI application. This denial later became the final decision of the Social Security Administration. Rager then appealed to this Court pursuant to 42 U.S.C. § 405(g).

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Based upon the reasoning and citations of authority set forth in the Magistrate Judge's Report and Recommendations (doc. #14) and in Rager's Objections (doc. #15), as well as upon a thorough de novo review of this Court's file and a thorough review of the applicable law, this Court adopts the aforesaid Report and Recommendations in its entirety and, in so doing affirms the Commissioner's decision that Rager is not disabled in accordance with Social Security regulations.

WHEREFORE, Rager's Objections to the Magistrate Judge's Report and Recommendations are OVERRULED, and this Court adopts the Report and Recommendations of the United States Magistrate Judge (doc. #14) in its entirety. The Commissioner's decision that Rager is not disabled in accordance with Social Security regulations is affirmed. Finally, the captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and **ORDERED** in Dayton, Ohio, this Twenty-Eighth Day of August, 2012.

s/Thomas M. Rose

JUDGE THOMAS M. ROSE
UNITED STATES DISTRICT COURT

Copies furnished to:
Counsel of Record